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10/500,797	07/07/2004	Michel Caron	644-B01.PCT.US	8366
Franz Bonsang c/o Equinox Protection 410 - 1500, Du College St - Laurent, QC H4L 5G5 CANADA				
7550 04/29/2008			EXAMINER KAMAL, SHAHID	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/500,797

**Applicant(s)**

CARON, MICHEL

**Examiner**

SHAHID KAMAL

**Art Unit**

3621

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 January 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 35-76 is/are pending in the application.
- 4a) Of the above claim(s) 38-47-52 and 65 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 35-37-39-46-53-64 and 66-76 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB08)  
Paper No(s)/Mail Date 07/07/2004.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

DETAILED ACTION

***Acknowledgements***

1. Claims 35-76 are currently pending.
2. Applicant's election without traverse of Species A (Claims 35-37, 39-46, 53-64, and 66-76), filed on January 25, 2008 is acknowledged.
3. Claims 38, 47-52, and 65 are withdrawn from further consideration pursuant to 37 C.F.R. §1.142(b), as being drawn to a nonelected Invention, because there is no allowable generic or linking claim. Election was made with traverse.
4. The transversal is not persuasive because the species are mutually exclusive and patentably distinct. Should Applicant argue that the specie are not patentably distinct and/or not mutually exclusive, the Examiner may reconsider the election of species.

***Priority***

5. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file. The certify copy was filed on January 29, 2003.

***Information Disclosure Statement***

6. The Information Disclosure Statement filed on 07 July 2004 has been considered. An initialed copy of the Form 1449 is enclosed herewith.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 35-37, 39-46, 53-64, and 66-76 are rejected under 35 U.S.C. 103(a) as being unpatentable over Linehan (US Patent No.: 6,327,578 B1) in view of Bishop et al. (US Pub. No.: 2007/0168281 A1).

9.

Referring to claim 35, Linehan discloses the following:

a) a data input unit (consumer's computer with keyboard) for receiving a user identification code (token) from said first party (consumer) (C4, L19-23 –The consumer's computer sends over the internet network some consumer identity and authentication information, such as a user id and user password, plus the merchant message, to an issuer gateway operating on behalf of an issuing bank);

b) a data processing unit (gateway/issuer) connected to said second party (merchant) selection unit and said data input unit (computer with keyboard), said data processing unit (gateway/issuer) processing said user identification code and said predetermined second party (C4, L24-29 –The issuer gateway verifies the merchants signature to prove that the consumer is dealing with the actual merchant and validates the merchant's certificate and the issuer gateway then verifies that the consumer's account is active and has sufficient fund and/or credit to support the payment amount);

c) to generate said variable identification code (token) required for said transaction to be validated (C4, L41-44 -the merchant verifies the issuer's signature, issuer's digital certificate, and authorization token contents to validate that the payment is authorized by the issuer); and

d) a data output unit (monitor) connected to said data processing unit (gateway/issuer) for receiving said variable identification code (token) therefrom, said data output unit (monitor) providing said variable identification code to said first party (C4, L24-44 -The authorization token includes the payment amount, order description, timestamp, a random nonce plus a merchant identifier and the to the consumer's credit or debit card number. The issuer gateway signs the authorization token. This information can send either to the consumer or to the merchant).

Linehan does not expressly disclose a second party selection unit for selecting said predetermined second party from a plurality of second parties.

Bishop discloses a second party selection unit for selecting said predetermined second party from a plurality of second parties (merchants) (paragraph 0092 -The financial account selection options may include any suitable selection options which provide the transaction mechanism with the appropriate information).

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified of Linehan to include the step(s) taught by Bishop as discussed above in order to represent that it may comprise the exchange of goods, services, or other value from the seller to the purchaser in exchange for a transfer of funds from the purchaser's financial account at the

purchaser's financial institution to the seller's financial account at seller's financial institution.

Referring to claim 36, Linehan further discloses wherein said data processing unit includes a memory member having at least one second party key code corresponding to said predetermined second party stored therein, said data processing unit processing said user identification code and said at least one second party key code to generate said variable identification code required for said transaction to be validated (C4, L41-44 -the merchant verifies the issuer's signature, issuer's digital certificate, and authorization token contents to validate that the payment is authorized by the issuer).

Referring to claim 37, Linehan further discloses wherein said data processing unit processes said user identification code and said at least one second party key code through an algorithm to generate said variable identification code required for said transaction to be validated (C4, L41-44 -the merchant verifies the issuer's signature, issuer's digital certificate, and authorization token contents to validate that the payment is authorized by the issuer).

Referring to claim 39, Linehan further discloses including a keypad, said keypad being connected to at least one of said second party selection unit and said data input unit (C4, L19-23 -The consumer's computer sends over the internet network some consumer identity and authentication information, such as a user id and user password,

Art Unit: 3621

plus the merchant message, to an issuer gateway operating on behalf of an issuing bank).

Referring to claim 40, Linehan further discloses wherein said keypad includes at least one selection key, at least one validation key and at least one deletion key (C4, L19-23 –The consumer's computer has keyboard).

Referring to claim 41, Linehan further discloses wherein said data output unit includes a visual display (C4, L10-15 –output unit is a computer monitor).

Referring to claim 42, Linehan further discloses wherein said visual display is connected to said second party selection unit, said at least one selection key allowing said visual display to successively display said plurality of second parties, said at least one validation key allowing selection of said second party being displayed (C4, L41-44 - the merchant verifies the issuer's signature, issuer's digital certificate, and authorization token contents to validate that the payment is authorized by the issuer).

Referring to claim 43, Linehan further discloses wherein said visual display is connected to said keypad so as to allow said first party to enter a sequence of selected characters via said at least one selection key and without using character-identified keys, said visual display preventing display of said sequence of selected characters

(C4, L41-44 -the merchant verifies the issuer's signature, issuer's digital certificate, and authorization token contents to validate that the payment is authorized by the issuer).

Referring to claim 44, Linehan does not expressly disclose wherein said visual display includes a plurality of printed characters thereon and a displaceable cursor to successively face said plurality of printed characters, said visual display being connected to said keypad for cooperation therewith.

Bishop discloses wherein said visual display includes a plurality of printed characters thereon and a displaceable cursor to successively face said plurality of printed characters, said visual display being connected to said keypad for cooperation therewith (paragraph 0092 –The financial account selection options may include any suitable selection options which provide the transaction mechanism with the appropriate information).

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified of Linehan to include the step(s) taught by Bishop as discussed above in order to represent that it may comprise the exchange of goods, services, or other value from the seller to the purchaser in exchange for a transfer of funds from the purchaser's financial account at the purchaser's financial institution to the seller's financial account at seller's financial institution.



Referring to claim 45, Linehan further discloses wherein said at least one selection key is a selection scrolling key, said selection scrolling key displacing said cursor for selection of successive figures corresponding to respective said plurality of printed characters, each said successive figures being selected by said user party using said at least one validation key when said cursor successively faces respective said plurality of printed characters, said successive figures forming data to be entered within said device (C4, L41-44 -the merchant verifies the issuer's signature, issuer's digital certificate, and authorization token contents to validate that the payment is authorized by the issuer).

Referring to claim 46, Linehan does not expressly discloses wherein said cursor is randomly positioned after selection of respective said plurality of printed characters using said at least one validation key.

Bishop discloses wherein said cursor is randomly positioned after selection of respective said plurality of printed characters using said at least one validation key (paragraph 0092 –The financial account selection options may include any suitable selection options which provide the transaction mechanism with the appropriate information).

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified of Linehan to include the step(s) taught by Bishop as discussed above in order to represent that it may comprise the exchange of goods, services, or other value from the seller to the purchaser in exchange for a transfer of funds from the purchaser's financial account at the

purchaser's financial institution to the seller's financial account at seller's financial institution.

Referring to claim 53, Linehan further discloses wherein said memory member has first and second party key codes corresponding to each of said plurality of second parties stored therein, said data processing unit processing said user identification code and said first and second party key codes corresponding to said predetermined second party to generate said variable identification code required for said transaction to be validated (C4, L41-44 -the merchant verifies the issuer's signature, issuer's digital certificate, and authorization token contents to validate that the payment is authorized by the issuer).

Referring to claim 54, Linehan does not expressly discloses wherein said first and second second party key codes are stored in said memory member by said first party at registration of corresponding said plurality of second parties.

Bishop discloses wherein said first and second second party key codes are stored in said memory member by said first party at registration of corresponding said plurality of second parties (paragraph 0092 –The financial account selection options may include any suitable selection options which provide the transaction mechanism with the appropriate information).

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified of Linehan to include the step(s)

taught by Bishop as discussed above in order to represent that it may comprise the exchange of goods, services, or other value from the seller to the purchaser in exchange for a transfer of funds from the purchaser's financial account at the purchaser's financial institution to the seller's financial account at seller's financial institution.

Referring to claim 55, Linehan further discloses the following:

- b) obtaining data of said user identification code from said data input unit (C4, L19-23 – The consumer's computer sends over the internet network some consumer identity and authentication information, such as a user id and user password, plus the merchant message, to an issuer gateway operating on behalf of an issuing bank);
- c) comparing said user identification code with said reference user code, returning to step b) when said user identification code is different than said reference user code, and resuming when said user identification code is identical to said reference user code (C4, L24-29 –The issuer gateway verifies the merchants signature to prove that the consumer is dealing with the actual merchant and validates the merchant's certificate and the issuer gateway then verifies that the consumer's account is active and has sufficient fund and/or credit to support the payment amount);
- d) calculating said variable identification code using at least said at least one second party key code (C4, L41-44 -the merchant verifies the issuer's signature, issuer's digital certificate, and authorization token contents to validate that the payment is authorized by the issuer); and
- e) providing said variable identification code to said data output unit (C4, L24-44 –The

authorization token includes the payment amount, order description, timestamp, a random nonce plus a merchant identifier and the to the consumer's credit or debit card number. The issuer gateway signs the authorization token. This information can send either to the consumer or to the merchant).

Linehan does not expressly disclose a) obtaining data of said predetermined second party from said second party selection unit;

Bishop discloses a) obtaining data of said predetermined second party from said second party selection unit (paragraph 0092 –The financial account selection options may include any suitable selection options which provide the transaction mechanism with the appropriate information).

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified of Linehan to include the step(s) taught by Bishop as discussed above in order to represent that it may comprise the exchange of goods, services, or other value from the seller to the purchaser in exchange for a transfer of funds from the purchaser's financial account at the purchaser's financial institution to the seller's financial account at seller's financial institution.

Referring to claim 56, Linehan further discloses wherein said memory member includes a predetermined combination table data stored therein, said algorithm calculating said variable identification code using at least said at least one second party key code to modify one of a successive combination of said predetermined combination

table data (C4, L41-44 -the merchant verifies the issuer's signature, issuer's digital certificate, and authorization token contents to validate that the payment is authorized by the issuer).

Referring to claim 57, Linehan further discloses wherein said memory member includes a predetermined combination table data stored therein, said algorithm calculating said variable identification code using said at least one second party key code and at least part of said user identification code to modify one of a successive combination of said predetermined combination table data (C4, L41-44 -the merchant verifies the issuer's signature, issuer's digital certificate, and authorization token contents to validate that the payment is authorized by the issuer).

Referring to claim 58, Linehan further discloses wherein said algorithm turns said device off after a predetermined amount of successive returning to said step b) when successive said user identification codes are different from said reference user code (C4, L41-44 -the merchant verifies the issuer's signature, issuer's digital certificate, and authorization token contents to validate that the payment is authorized by the issuer).

Referring to claim 59, Linehan further discloses wherein said data output unit is connectable to a terminal so as to communicate said variable identification code thereto (C4, L24-44 -The authorization token includes the payment amount, order description, timestamp, a random nonce plus a merchant identifier and the to the consumer's credit

or debit card number. The issuer gateway signs the authorization token. This information can send either to the consumer or to the merchant).

Referring to claim 60, Linehan further discloses wherein said device is a chip card having a chip therein connectable to the terminal, said data output unit connecting to said chip for communication of said variable identification code to the terminal (C4, L24-44 –The authorization token includes the payment amount, order description, timestamp, a random nonce plus a merchant identifier and the to the consumer's credit or debit card number. The issuer gateway signs the authorization token. This information can send either to the consumer or to the merchant).

Referring to claim 61, Linehan discloses the following:

b) receiving a user identification code (token) from said first party (C4, L19-23 –The consumer's computer sends over the internet network some consumer identity and authentication information, such as a user id and user password, plus the merchant message, to an issuer gateway operating on behalf of an issuing bank);

c) processing (gateway/issuer) said user identification code (token) and said predetermined second party to generate said variable identification code required for said transaction to be validated (C4, L41-44 -the merchant verifies the issuer's signature, issuer's digital certificate, and authorization token contents to validate that the payment is authorized by the issuer); and

d) providing said variable identification code (token) to said first party (C4, L24-44 – The authorization token includes the payment amount, order description, timestamp, a random nonce plus a merchant identifier and the to the consumer's credit or debit card number. The issuer gateway signs the authorization token. This information can send either to the consumer or to the merchant).

Linehan does not expressly discloses a) selecting said predetermined second party from a plurality of second parties registered within said device.

Bishop discloses a) selecting said predetermined second party from a plurality of second parties registered within said device (paragraph 0092 –The financial account selection options may include any suitable selection options which provide the transaction mechanism with the appropriate information).

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified of Linehan to include the step(s) taught by Bishop as discussed above in order to represent that it may comprise the exchange of goods, services, or other value from the seller to the purchaser in exchange for a transfer of funds from the purchaser's financial account at the purchaser's financial institution to the seller's financial account at seller's financial institution.

Referring to claim 62, Linehan further discloses wherein said device includes at least one second party key code corresponding to said predetermined second party stored therein, said processing step c) including processing said user identification code and

said at least one second party key code to generate said variable identification code required for said transaction to be validated (C4, L41-44 -the merchant verifies the issuer's signature, issuer's digital certificate, and authorization token contents to validate that the payment is authorized by the issuer).

Referring to claim 63, Linehan further discloses c1) comparing said user identification code with said reference user code (C4, L24-29 –The issuer gateway verifies the merchants signature to prove that the consumer is dealing with the actual merchant and validates the merchant's certificate and the issuer gateway then verifies that the consumer's account is active and has sufficient fund and/or credit to support the payment amount); c2) returning to said receiving step b) when said user identification code is different than said reference user code (C4, L24-29 –The issuer gateway verifies the merchants signature to prove that the consumer is dealing with the actual merchant and validates the merchant's certificate and the issuer gateway then verifies that the consumer's account is active and has sufficient fund and/or credit to support the payment amount); c3)generating said variable identification code required for said transaction to be validated when said user identification code is identical to said reference user code (C4, L24-29 –The issuer gateway verifies the merchants signature to prove that the consumer is dealing with the actual merchant and validates the merchant's certificate and the issuer gateway then verifies that the consumer's account is active and has sufficient fund and/or credit to support the payment amount).



Referring to claim 64, Linehan further discloses wherein said device is turned off after a predetermined amount of successive returning to said receiving step b) when successive said user identification codes are different from said reference user code (C4, L24-29 –The issuer gateway verifies the merchants signature to prove that the consumer is dealing with the actual merchant and validates the merchant's certificate and the issuer gateway then verifies that the consumer's account is active and has sufficient fund and/or credit to support the payment amount).

Referring to claim 66, Linehan further discloses wherein said reference user code is known to said device only so as to remain confidential thereto without being communicated to said plurality of second parties or to a third party (C4, L24-29 –The issuer gateway verifies the merchants signature to prove that the consumer is dealing with the actual merchant and validates the merchant's certificate and the issuer gateway then verifies that the consumer's account is active and has sufficient fund and/or credit to support the payment amount).

Referring to claim 67, Linehan does not expressly disclose registering said plurality of second parties within said device.

Bishop discloses registering said plurality of second parties within said device (paragraph 0092 –The financial account selection options may include any suitable selection options which provide the transaction mechanism with the appropriate information).

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified of Linehan to include the step(s) taught by Bishop as discussed above in order to represent that it may comprise the exchange of goods, services, or other value from the seller to the purchaser in exchange for a transfer of funds from the purchaser's financial account at the purchaser's financial institution to the seller's financial account at seller's financial institution.

Referring to claim 68, Linehan does not expressly disclose storing at least one second party key code for respective each said plurality of second parties within said device.

Bishop discloses storing at least one second party key code for respective each said plurality of second parties within said device (paragraph 0092 –The financial account selection options may include any suitable selection options which provide the transaction mechanism with the appropriate information).

Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified of Linehan to include the step(s) taught by Bishop as discussed above in order to represent that it may comprise the exchange of goods, services, or other value from the seller to the purchaser in exchange for a transfer of funds from the purchaser's financial account at the purchaser's financial institution to the seller's financial account at seller's financial institution.

Referring to claim 69, Linehan discloses processing said user identification code and said at least one second party key code through an algorithm to generate said variable identification code required for said transaction to be validated (C4, L41-44 -the merchant verifies the issuer's signature, issuer's digital certificate, and authorization token contents to validate that the payment is authorized by the issuer).

Referring to claim 70, Linehan further discloses storing two second party key codes for respective each said plurality of second parties within said device (Fig. 7 -three program stored in the memory).

Referring to claim 71, Linehan further discloses c1) obtaining data of said predetermined second party and said user identification code (C4, L24-44 -The authorization token includes the payment amount, order description, timestamp, a random nonce plus a merchant identifier and the to the consumer's credit or debit card number. The issuer gateway signs the authorization token. This information can send either to the consumer or to the merchant); c2) comparing said user identification code with said reference user code, returning to said receiving step b) when said user identification code is different than said reference user code, and resuming when said user identification code is identical to said reference user code (C4, L24-29 -The issuer gateway verifies the merchants signature to prove that the consumer is dealing with the actual merchant and validates the merchant's certificate and the issuer gateway then

verifies that the consumer's account is active and has sufficient fund and/or credit to support the payment amount); and c3)calculating said variable identification code using at least said at least one second party key code (C4, L41-44 -the merchant verifies the issuer's signature, issuer's digital certificate, and authorization token contents to validate that the payment is authorized by the issuer).

Referring to claim 72, Linehan further discloses wherein said device includes a predetermined combination table data stored therein, said algorithm calculating said variable identification code using at least said at least one second party key code to modify one of a successive combination of said predetermined combination table data (C4, L41-44 -the merchant verifies the issuer's signature, issuer's digital certificate, and authorization token contents to validate that the payment is authorized by the issuer).

Referring to claim 73, Linehan further discloses wherein said device includes a predetermined combination table data stored therein, said algorithm calculating said variable identification code using said at least one second party key code and at least part of said user identification code to modify one of a successive combination of said predetermined combination table data (C4, L41-44 -the merchant verifies the issuer's signature, issuer's digital certificate, and authorization token contents to validate that the payment is authorized by the issuer).

Referring to claim 74, Linehan further discloses e) communicating said variable identification code to said predetermined second party (C4, L41-44 -the merchant verifies the issuer's signature, issuer's digital certificate, and authorization token contents to validate that the payment is authorized by the issuer); f) analyzing said communicated variable identification code to verify identity of said first party so as to validate the transaction (C4, L41-44 -the merchant verifies the issuer's signature, issuer's digital certificate, and authorization token contents to validate that the payment is authorized by the issuer).

Referring to claim 75, Linehan discloses wherein said analyzing step f) includes comparing said communicated variable identification code to a list of predetermined codes (C4, L41-44 -the merchant verifies the issuer's signature, issuer's digital certificate, and authorization token contents to validate that the payment is authorized by the issuer).

Referring to claim 76, Linehan discloses wherein said device includes at least one second party key code corresponding to said predetermined second party stored therein, said processing step c) including processing said user identification code and said at least one second party key code to generate said variable identification code, and said analyzing step f) including calculating at least one identification code through an algorithm using at least part of said user identification code and said at least one second party key code (C4, L41-44 -the merchant verifies the issuer's signature,

issuer's digital certificate, and authorization token contents to validate that the payment is authorized by the issuer).

10. **Examiner's Note:** The Examiner has pointed out particular references contained in the prior art of record within the body of this action for the convenience of the Applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply. Applicant, in preparing the response, should consider fully the entire reference as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

### ***Conclusion***

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the patent examiner should be directed to Shahid Kamal whose telephone number is (571) 270-3272. The Patent examiner can normally be reached on Monday-Thursday (9:00am -7:00pm), Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew J. Fischer can be reached on (571) 272-6779. The fax phone number for this origination where this application or proceeding is assigned is (571) 273-8300.

Art Unit: 3621

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published application may be obtained from either Private PAIR or Public PAIR.

Statuses information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-directed.uspto.gov>.

Should you have any questions on accessing to the Private PAIR system, contact the Electronic Business Center (EBC) at 1(866) 217-9197 (toll free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 1(800) 786-9199 (IN USA OR CANADA) or 1(571) 272-1000.

Shahid Kamal  
April 21, 2008

/ANDREW J. FISCHER/  
Supervisory Patent Examiner, Art Unit 3621